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Case No.: 2:09-cv-00686-RLH-LRL

ORDER

(Motion for Attorney's Fees—#219)

Defendants.

Counterclaimant,

Counterdefendants.

Nevada law authorizes courts to award attorneys' fees where they are called for by statute, rule, or contract. NRS § 18.010. The various agreements entered into between Goddard and the Bank all provide for awards of attorneys' fees. *See* Dkt. #219, Ex. 1-B, Construction Loan

1 Agreement p. 10; Ex. 1-C, Deed of Trust p. 7; Ex. 1-D, Promissory Note.) As the Bank was
 2 successful in its suit against Goddard, it is entitled to recover its reasonable attorneys' fees under
 3 these agreements. After review of the Bank's billing affidavits for reasonableness under the
 4 lodestar method and the lack of an opposition from Goddard, *see* Local Rule 7-2, the Court awards
 5 the fees as requested in the amount of \$73,404.04.

6 The Bank also requests its costs in pursuing this lawsuit under Federal Rule of Civil
 7 Procedure 54. This is allowed, however, the Bank seeks costs beyond what is allowed by this
 8 Court's Local Rules. *See* Local Rules 54-1 – 54-15. Accordingly, the Court subtracts the
 9 following costs from the Bank's request: the copy fees (only Court required copy fees are taxable
 10 and the Bank has not indicated that these copies were Court required); the Postage fees (the Bank
 11 did not indicate that they were for mailing depositions); the expert/consultant fees; computerized
 12 research fees; investigation service fees; and courier fees. Further, the Court only taxes costs for
 13 deposition transcripts, not videos, *see* LR 54-4, and so will only tax for depositions in the amount
 14 of \$546.20. Thus, the Court taxes costs in the amount of \$691.22 rather than the requested
 15 \$4,382.13.

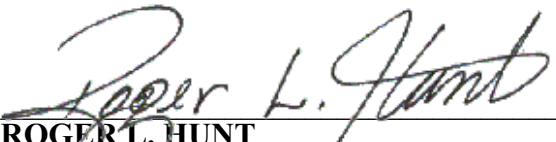
16 CONCLUSION

17 Accordingly, and for good cause appearing,

18 IT IS HEREBY ORDERED that Plaintiff's Motion for Attorney's Fees and Costs
 19 (#219) is GRANTED as follows:

- 20 • Fees are awarded in the amount of \$73,404.04.
- 21 • Costs are taxed in the amount of \$691.22.

22 Dated: February 6, 2012.

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 24 
 25 **ROGER L. HUNT**
 26 **United States District Judge**